



Matthew G. Bevin
Governor

Charles G. Snavely
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Robert Cicero
Vice Chairman

Talina R. Mathews
Commissioner

March 23, 2018

TRANSMITTED VIA E-MAIL

John Haley
Todd County Water District
PO Box 520
Elkton KY 42220
Tcwd00@gmail.com

Re: Case No. 2017-00316, William C. Hill v. Muhlenberg County Water District

Dear Mr. Haley,

As we discussed yesterday, the parties in this matter met on February 7, 2018, to discuss the issue of Mr. Hill's complaint that Muhlenberg County Water District ("Muhlenberg District") should provide him water service for his house and lots for a proposed subdivision located off McPherson Road. During discussions, Muhlenberg District expressed its belief that Todd County Water District ("Todd District") provides water to three customers who live near Mr. Hill's house off McPherson Road. Muhlenberg District believes that Todd District would be better able to provide Mr. Hill service due to the location near the Todd County boundary line.

Please respond to this letter with Todd District's opinion on this issue within 10 days of receiving this letter. If Todd District wishes to become a party in this matter, please file a motion with the Commission as well.

Attached is a copy of a memorandum which has been filed in the record of the above-referenced case. Should you wish to obtain more information on the issues involved in this matter all formal case documents are on our website <http://psc.ky.gov>.

Mr. Haley
March 23, 2018
Page 2

If you have any questions, please contact Brittany Koenig, Staff Attorney at 502-782-2591.

Sincerely,

for 
Gwen R. Pinson
Executive Director

cc: PARTIES OF RECORD

Attachments



Matthew G. Bevin
Governor

Charles G. Snavely
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Robert Cicero
Vice Chairman

Talina R. Mathews
Commissioner

March 2, 2018

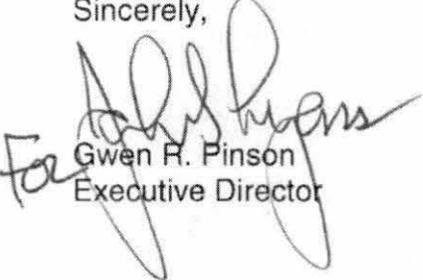
PARTIES OF RECORD

Re: Case No. 2017-00316

Attached is a copy of a memorandum, which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the memorandum, please do so within five days of receipt of this letter.

If you have any questions, please contact Brittany Koenig, Commission Staff Attorney, at 502-782-2573.

Sincerely,


Gwen R. Pinson
Executive Director

BHK/ph

Attachments

INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File No. 2017-00316

FROM: Brittany Koenig, Staff Attorney

DATE: March 2, 2018

RE: Informal Conference of February 7, 2018

Pursuant to Commission Staff's ("Staff") Notice of Informal Conference ("IC") filed into the record on January 29, 2018, an IC was held in this matter on February 7, 2018. A copy of the sign-in sheet is attached. Brittany Koenig, Jenny Sanders, and Eddie Beavers attended on behalf of the Commission. Mr. William Hill and Mr. Evan Buckley, Mr. Hill's attorney attended. Mr. Damon Talley and Ms. Mary Ellen Wimberly attended as representatives of Muhlenberg County Water District ("Muhlenberg District"). Craig Porter, Muhlenberg District Superintendent, participated by telephone in the conference.

During the conference, Ms. Koenig stated that Staff would prepare minutes of the conference to enter in the case record, and that the parties would have an opportunity to submit written comments. Ms. Koenig stated that Staff is not a party to the case and the views of Staff are not binding on the Commission.

Staff stated the history of the case, recounting Mr. Hill's Complaint filed on July 26, 2017, and clarified statement on September 27, 2017. The Commission ordered Muhlenberg Water District ("Muhlenberg District") to satisfy or answer Mr. Hill's Complaint on November 21, 2017. Muhlenberg District filed its Answer on November 30, 2018.

Muhlenberg District's position is that, due to Mr. Hill's location in proximity to Todd County, it wants Mr. Hill to connect with Todd County Water District ("Todd County") and it does not want to be a "middle-man" between Mr. Hill and Todd County. Mr. Hill brought a map of his property and pointed out where his developing subdivision is located. Mr. Hill explained that he has been developing this subdivision as he has developed other properties in the past. Mr. Hill consulted members of Muhlenberg District about where to plan the water lines. Mr. Hill relied upon the Muhlenberg District representatives, as he has done in the past. Now, he feels that Muhlenberg District has treated him unfairly. Mr. Hill explained that to connect to Todd County for his one existing home will not solve his problem. He is developing a subdivision and has developed several lots that will need water. Muhlenberg District's problem is that upfront they will have the expense of flushing a line to keep the water from becoming stale. However, Mr. Hill is willing to spend the money for the line and is willing to give the line to the county as he has done this in the past. Mr. Hill has stated that he has

Case File No. 2017-00316

March 2, 2018

Page 2

been responsible for increasing the number of customers to Muhlenberg District by at least 40 customers The parties agreed that Todd County needs to be a party to this action. Mr. Hill requested Todd County be joined quickly and another IC be held quickly. Mr. Hill's position is that he is a Muhlenberg District customer and needs water. Mr. Hill claims it is Muhlenberg District's responsibility to provide water.

There being no further business, the informal conference adjourned.

Attachments:

Sign-in Sheet

January 2, 2018 Letter to Todd County from Muhlenberg District

Photograph of water condition in Mr. Hill's home at issue.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WILLIAM C. HILL)	
)	
COMPLAINANT)	CASE NO.
)	2017-00316
V.)	
)	
MUHLENBERG COUNTY WATER DISTRICT)	
)	
DEFENDANT)	

Informal Conference - February 7, 2018

Please sign in:

NAME

REPRESENTING

<u>Craig Porter</u>	<u>Muhlenberg Co WD. Sup.</u>
<u>Damon Talley</u>	<u>SKO - Muhl. Co. WD.</u>
<u>Mary Ellen Wimberly</u>	<u>SKO - Muhlenberg Co. WD</u>
<u>William Hill</u>	<u>self</u>
<u>M. EVAN Buckley</u>	<u>Mr. Hill</u>
<u>Eddie Beavers</u>	<u>PSC Staff</u>
<u>Jenny Sanders</u>	<u>PSC Staff Atty.</u>
<u>Brittany H Koenig</u>	<u>PSC office of gov counsel.</u>

Muhlenberg County Water District

P. O. BOX 348
GREENVILLE, KENTUCKY 42345

January 2, 2018

Todd County Water District Manager
P O Box 520
Elkton, Kentucky 42220

To Whom It May Concern:

It is our understanding that Mr. William C Hill will soon be applying for water service from Todd County Water District. He is seeking water service for his farm house located off McPherson Road.

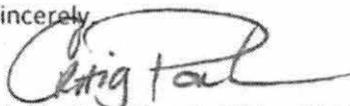
Mr. Hill plans to request that you set him a 5/8 x 3/4- inch residential meter at the end of your 3 – inch water line that runs along McPherson Road. His driveway is located approximately 400 feet from the end of your water line. Mr. Hill is willing to install, at his own expense, his service line starting at the meter that you set on McPherson Road. He will run his service line along McPherson Road until it reaches his driveway (a distance of approximately 400 feet). He will then run his service line down his private drive to his farm house, which is located approximately one mile north of McPherson Road.

As you probably know, the Muhlenberg County Water District (MCWD) does not have any practical, economic way of providing water service to Mr. Hill. MCWD's closest water line is located approximately 4 miles away on Kentucky Highway 181 South. It stops near the Muhlenberg-Todd County line.

The purpose of this letter is to confirm that MCWD has no objection to Todd County Water District providing water service to Mr. Hill from your existing McPherson Road water line. We believe that you are already providing water service along McPherson Road to at least three other customers who live in Muhlenberg County. We are very pleased that you are providing water service to these Muhlenberg County customers and we hope that you will serve Mr. Hill as well.

If you need a more formal document from MCWD waiving its right to serve Mr. Hill's property and consenting for Todd District to serve Mr. Hill, we will be happy to have our attorney prepare such a document.

Sincerely,



Muhlenberg County Water District

Cc: Damon R. Talley



*Honorable Damon R Talley
Attorney at Law
Stoll Keenon Ogden PLLC
P.O. Box 150
Hodgenville, KENTUCKY 42748

*Muhlenberg County Water District
301 Dean Road
P. O. Box 348
Greenville, KY 42345

*Muhlenberg County Water District
Muhlenberg County Water District
301 Dean Road
P. O. Box 348
Greenville, KY 42345

*M. Evan Buckley
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*William Hill
900 Malone Farm Lane
Belton, KENTUCKY 42324

*Gerald E Wuetcher
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Mary Ellen Wimberly
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Honorable Damon R Talley
Attorney at Law
Stoll Keenon Ogden PLLC
P.O. Box 150
Hodgenville, KENTUCKY 42748

*Muhlenberg County Water District
301 Dean Road
P. O. Box 348
Greenville, KY 42345

*Muhlenberg County Water District
Muhlenberg County Water District
301 Dean Road
P. O. Box 348
Greenville, KY 42345

*M. Evan Buckley
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*William Hill
900 Malone Farm Lane
Belton, KENTUCKY 42324

*Gerald E Wuetcher
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Mary Ellen Wimberly
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801